

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE MEDTRONIC, INC.
IMPLANTABLE DEFIBRILLATORS
PRODUCTS LIABILITY LITIGATION

MDL NO. 05-1726 (JMR/AJB)

**REPORT RECOMMENDING
DISMISSAL WITHOUT PREJUDICE**

This documents relates to:
Carlile v. Medtronic, Inc., 0:07-cv-3899

Plaintiff, Kenneth Carlile, filed a claim against Defendant in the District of Minnesota on September 6, 2007. This case was joined with the above-referenced MDL. Since that time, the MDL has been dissolved due to settlement. Plaintiffs did not participate in the settlement.

Thereafter, on May 21, 2009, this Court entered an Order to Show Cause why this Case Should Not be Dismissed requesting response from Plaintiffs Centers with fifteen (15) days. Plaintiff's agreed to dismiss their claim without Prejudice.

Accordingly, IT IS HEREBY RECOMMENDED that:

Plaintiff's claim against Defendant Medtronic, Inc., should be dismissed without prejudice.

Dated: June 15, 2009

____s/ Arthur J. Boylan_____
Arthur J. Boylan
United States Magistrate Judge